

UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
DO 1606 7	22 04/02	/OC ENDMED	Υ

JOSEPH A. SAWYER JR. SAWYER & ASSOCIATES P.O. BOX 51418 PALO ALTO CA 94303

LN11/0210	٦ [EXAMINER BRITTON, H	
	٢	ART UNIT	PAPER NUMBER
	_	2713	1.

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Application No. 08/626,733

Applicant(s)

J. O. FARMER

Office Action Summary

Examiner

Howard W. Britton

Group Art Unit 2713



Responsive to communication(s) filed on <u>Dec 24, 1997</u>	·
☐ This action is FINAL .	
☐ Since this application is in condition for allowance except for formal matter in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11; 4	
A shortened statutory period for response to this action is set to expire7 is longer, from the mailing date of this communication. Failure to respond wapplication to become abandoned. (35 U.S.C. § 133). Extensions of time r 37 CFR 1.136(a).	vithin the period for response will cause the
Disposition of Claims	
X Claim(s) 1-42	is/are pending in the application.
Of the above, claim(s)	is/are withdrawn from consideration.
X Claim(s) 11-25 and 33-42	is/are allowed.
X Claim(s) 1-5, 26, and 27	is/are rejected.
☐ Claims are sul	
Application Papers	
☐ See the attached Notice of Draftsperson's Patent Drawing Review, P	то-948.
☐ The drawing(s) filed on is/are objected to by the	Examiner.
☐ The proposed drawing correction, filed on is	approved disapproved.
☐ The specification is objected to by the Examiner.	
\square The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119	
\square Acknowledgement is made of a claim for foreign priority under 35 U.	S.C. § 119(a)-(d).
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority	documents have been
☐ received.	
received in Application No. (Series Code/Serial Number)	
\square received in this national stage application from the Internationa	ll Bureau (PCT Rule 17.2(a)).
*Certified copies not received:	
☐ Acknowledgement is made of a claim for domestic priority under 35	U.S.C. § 119(e).
Attachment(s)	
☑ Notice of References Cited, PTO-892	
☑ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2	_
☐ Interview Summary, PTO-413	
□ Notice of Draftsperson's Patent Drawing Review, PTO-948	
□ Notice of Informal Patent Application, PTO-152	
SEE OFFICE ACTION ON THE FOLLOW	ING PAGES

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Art Unit: 2615

1. The formal drawings were received on April 2, 1996. These drawings are approved.

2. The abstract of the disclosure is objected to because the expression "is adjusted to match a

preselected ad audio level" (line 15) is unclear. Correction is required. See MPEP § 608.01(b).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 26 and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

DUGAN (4,864,627), (Note Fig. 7, col. 10, lines 19-66).

5. Claims 6-10 and 28-32 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

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SEE 2,969,427

SCHMELZER 5,424,770

LEE 5,617,151

BRYANT 5,652,615.

- 7. Claims 6-25 and 28-42 are allowable over the art of record.
- 8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Howard W. Britton whose telephone number is (703) 305-4724. The examiner can normally be reached on Monday through Friday from 8:30 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tommy Chin, can be reached on (703) 305-4715. The fax phone number for this Group is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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or faxed to:

(703) 308-9051, (for formal communication intended for entry)

or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

01-23-98 hwb